

**Remarks/Arguments:**

With the present response, claims 31-39 are pending. The Examiner is thanked for the courtesy of the telephone interview conducted with Applicants' representative on August 23, 2006. During the interview, claims 31 and 36 were discussed.

**Claim rejections under 35 U.S.C. §102**

Claims 31, 32, and 34 stand rejected under 35 U.S.C. §102(b) as anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,197,976 to Herweck et al. ("Herweck").

Claim 31, as amended, recites, *inter alia*, a method for manufacturing a multi-lumen tubular supporting component for an endoluminal graft, comprising the steps of forming a tubular support component; and creasing at least one longitudinal portion of said tubular supporting component *after forming the tubular support component* to form at least one longitudinally disposed indent therein to provide a portion of said tubular supportive component having multiple lumens.

In order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. M.P.E.P. §2131. Furthermore, "the identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) and M.P.E.P. §2131.

Claim 31, as amended, recites that the tubular supporting component is creased after the tubular supporting component is formed. Claim 31 recites a positive recitation of a two-step process by which the tubular component is first formed and, subsequently, creased. Herweck, on the other hand, fails to disclose or suggest creasing a tubular component *as a separate step* after forming the tubular component.

While Herweck discloses "a diluminal structure 100 having tube structures 10 and 10' joined by a divisible wall 16 which has perforations 24 therein" (Col. 7, line 68-Col. 8, line 2), Herweck fails to disclose or suggest that such diluminal structure is produced by forming a tubular supporting component *and then* creasing the tubular supporting component, as is recited in amended claim 31. According to the remaining disclosure in Herweck, it may be inferred that a diluminal structure is first extruded, and perforations are subsequently made along an originally formed crease in the extrusion.

Applicants respectfully submit that claim 31, as amended, is patentable over the cited prior art. Claims 32 and 34 depend from claim 31 and Applicants submit that these claims are patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 31. Reconsideration and allowance of the claims is respectfully requested.

**Claim rejections under 35 U.S.C. §103**

Claims 33 and 35 stand rejected under 35 U.S.C. §103(a) as obvious over Herweck in view of U.S. Patent No. 4,501,263 to Harbuck. Claims 33 and 35 depend from claim 31 and Applicants submit that these claims are patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 31. Reconsideration and allowance of the claims is respectfully requested.

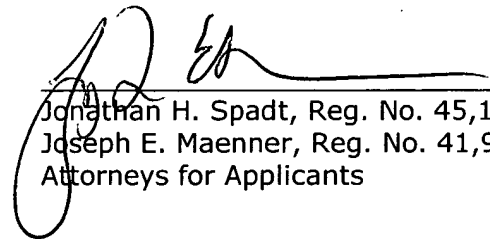
### Double Patenting

Claims 36-39 stand rejected on the grounds of obviousness-type double patenting as being unpatentable over claims 1, 2, 5 of U.S. Patent No. 6,554,858 to Dereume et al. ("Dereume"). Applicants herewith submit a Terminal Disclaimer, disclaiming any portion of the term of a patent resulting from this application beyond the expiration of Dereume. Applicants respectfully request reconsideration and allowance of claims 36-39.

### Conclusion

In light of the above amendments, arguments, and Terminal Disclaimer, Applicants respectfully submit that claims 31-39 are patentable over the cited prior art. Prompt reconsideration and allowance is respectfully requested.

Respectfully submitted,



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Jonathan H. Spadt, Reg. No. 45,122  
Joseph E. Maenner, Reg. No. 41,964  
Attorneys for Applicants

JHS/JEM/mc


Attachment: Terminal Disclaimer

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P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

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